

**REMARKS**

In the Office Action the Examiner noted that claims 1-22 were pending in the application. The Examiner rejected claims 1-6, 11, 16 and 19-22, while objecting to claims 7-10, 12-15, 17 and 18. By this Amendment, various claims have been amended and new claim 23 has been added. Thus, claims 1-23 are pending in the application. The Examiner's rejections are traversed below.

Rejection Under 35 U.S.C. § 102

In item 1 on pages 2-5 of the Office Action the Examiner rejected claims 1-6, 11, 16 and 19-22 under 35 U.S.C. § 102 as anticipated by U.S. Patent 5,583,792 to Li et al.

The Prior Art

U.S. Patent 5,583,792 to Li et al. is directed to a method and apparatus for integration of traffic measurement and queuing performance evaluation in a network system. Li relates to network traffic analysis and more particularly to integration of traffic statistical matching and improved queuing analysis to determine optimal buffer size, link capacity allocation, loss/delay constraints, congestion control, dynamic routing and call admission control for guaranteed quality services in a rich, heterogeneous multimedia traffic environment (see column 1, lines 44-51). In Li, a frequency-domain processing is performed by combining techniques of signal process and queuing analysis. The disclosure in Li includes the words "steady state" and "transient state" but the terms are unrelated to the present claimed invention.

The Present Claimed Invention Patentably Distinguishes Over the Prior Art

Claim 1

Claim 1, as amended, recites a first process for preparing a functional model of a product part based on a potential quantity and a flow quantity representing energy applied to the product part. Thus, in claim 1 as amended, a functional model of a product part is prepared, a steady internal characteristic value of the functional model in a steady state is identified and a transient internal characteristic value of the functional model in a transient state is identified by using the identified steady internal characteristic value. Claim 1 has been

amended to clarify that it relates to "a part composing a product" as set forth on line 10 of page 1 of the specification. That is, "the product part" referenced in the present invention includes both a solitary mechanical part and a combined module part.

The present claimed invention is not related to a network, nor is it related to information processing. Instead, the present invention is directed to characteristic value identification of a product. Thus, it is submitted that the disclosure of Li is completely irrelevant to the present claimed invention. It is submitted that claim 1, as amended, patentably distinguishes over the prior art.

Claims 2-10 and 19-22 depend from claim 1 and are deemed to be in a condition suitable for allowance.

#### Claim 11

Claim 11 recites:

"block replacement means for a functional model of a product part prepared by a potential quantity and a flow quantity representing a strength and a quantity of energy applied to the product part,

test reproduction means for reproducing at least one steady test model in a steady state of the functional model and at least one transient test model in a transient state,

testing means of the product part for performing a steady test and a transient test respectively corresponding to the steady test model and the transient test model,

measurement means for collecting steady test data and transient test data at a time when a steady test and a transient test of the product part are performed by the testing means, and

calculating means for identifying a steady internal characteristic value of the steady test model by using the steady test data, for applying the steady internal characteristic value to the transient test model to generate transient phenomenon reproduction data, and for correcting the transient phenomenon reproduction data based on an error between the transient

phenomenon reproduction data and the transient test data, thereby identifying a transient internal characteristic value."

Therefore, it is submitted that claim 11 patentably distinguishes over the prior art.

Claim 16 depends from claim 11 and includes all of features of that claim plus additional features which are not taught or suggested by the prior art. Therefore, it is submitted that claim 16 also patentably distinguishes over the prior art.

Claims 7-10, 12-15 and 17-18

In item 2 on pages 5 and 6 of the Office Action the Examiner objected to claims 7-10, 12-15 and 17-18 as being dependent upon a rejected base claim, indicating that these claims would be allowable if rewritten in independent form.

The above claims depend, directly or indirectly from claim 1 or claim 11 and include all of the features of the claim from which they depend, plus additional features which the Examiner has indicated patentably distinguish over the prior art. Therefore, it is submitted that claims 7-10, 12-15 and 17-18 patentably distinguish over the prior art.

Comments on Reasons for Allowance

In item 2 on pages 5 and 6 of the Office Action the Examiner submits an Examiner's Statement of Reasons for Allowance wherein the Examiner appears to paraphrase certain claim language. It is submitted that the Examiner's statement is not an accurate quote of the claim language with respect to each of the objectionable claims. It is submitted that the claim language provides the best evidence of the reasons for allowability.

New Claim 23

New claim 23 recites:

"preparing a functional model of a product part based on a potential quantity and a flow quantity representing energy applied to the product part;

converting the functional model into a steady state functional model to identify a steady internal characteristic value; and identifying a transient internal characteristic value of the functional model in a transient state by using the steady internal characteristic value."

Therefore, it is submitted that claim 23 patentably distinguishes over the prior art.

Summary

It is submitted that none of the references, either taken alone or in combination teach the present claimed invention. Thus, claims 1-23 are deemed to be in a condition suitable for allowance. Reconsideration of the claims and an early notice of allowance are earnestly solicited.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 9-30-03

By: John C. Garvey  
John C. Garvey  
Registration No. 28,607

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501